



CORPORATION SERVICE COMPANY'

Notice of Service of Process

MIW / ALL
Transmittal Number: 6135113
Date Processed: 10/27/2008

Primary Contact: Robin Dupey
Assurant Health
501 West Michigan
Milwaukee, WI 53203

Entity:	Time Insurance Company Entity ID Number 1878543
Entity Served:	Time Insurance Company
Title of Action:	Lori K. Wilhoit vs. Time Insurance Company
Document(s) Type:	Summons/Complaint
Nature of Action:	Contract
Court:	Washington Chancery Court, Tennessee
Case Number:	37159
Jurisdiction Served:	Tennessee
Date Served on CSC:	10/24/2008
Answer or Appearance Due:	30 Days
Originally Served On:	TN Department of Commerce and Insurance on 10/14/2008
How Served:	Certified Mail
Plaintiff's Attorney:	Howell H. Sherrod, Jr. 423-928-8321

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC
CSC is SAS70 Type II certified for its Litigation Management System.
2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | sop@cscinfo.com

EXHIBIT A



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-1131

October 22, 2008

Time Insurance Company
2908 Poston Avenue
Nashville, TN 37203
NAIC # 69477

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7008 1830 0000 6980 0413
Cashier # 5760

Re: Lori K. Wilhoit V. Time Insurance Company

Docket # 37159

To Whom It May Concern:

We are enclosing herewith a document that has been served on this department on your behalf in connection with the above-styled matter.

I hereby make oath that the attached Complaint For Declaratory Judgment was served on me on October 14, 2008 by Lori K. Wilhoit pursuant to Tenn. Code Ann. § 56-2-504 or § 56-2-506. A copy of this document is being sent to the Chancery Court of Washington County, TN.

Brenda C. Meade
Designated Agent
Service of Process

Enclosures

cc: Chancery Court Clerk
Washington County
P O Box 356
Jonesborough, Tn 37659

IN THE CHANCERY COURT OF WASHINGTON COUNTY, TENNESSEE
AT ☒ JOHNSON CITY ☐ JONESBOROUGH

CIVIL SUMMONS

Lori K. Wilhois

Civil Action No. 37159

Plaintiff(s)

VS.

Time Insurance Company

Defendant(s)

NOTICE

TO THE DEFENDANT(S):

Tennessee law provides a Four Thousand dollar (\$4,000) personal property exemption from execution of seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed. These include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Action: Declaratory Judgment

To the above named defendant(s):

Howell H. Sherrod, Jr.

You are hereby commanded and required to file with Chancery Court and to serve upon _____, plaintiff's attorney, whose

address is 249 East Main Street, Johnson City, TN 37604, an

answer to the complaint which is herewith served upon you within (30) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Witnessed and issued this 10 day of October, 2008, at 9:40 o'clock A M.

I, Brenda Sneyd, Clerk and Master of the Chancery Court, Johnson City, Tennessee, hereby certify that this is a true and perfect copy of the original summons and in this cause.

Brenda Sneyd, Clerk and Master

By: Lara Sparks

Deputy Clerk

Received this _____ day of _____, 20____, at _____ o'clock _____ M.

Sheriff - Deputy Sheriff - Constable

RETURN ON SERVICE OF SUMMONS

I hereby certify and return that on the _____ day of _____, 20____ at _____ o'clock _____ M.,

I served this summons together with a copy of the complaint herein by delivering a true copy of said summons and complaint to: _____

Sheriff - Deputy Sheriff - Constable

I, _____, do hereby accept service of the within summons as though served by the Sheriff and acknowledge receipt of a certified copy of original complaint and summons.

This _____ day of _____, 20____, at _____ o'clock _____ M.

Signature

Address



ADA --- IF YOU HAVE A DISABILITY AND
REQUIRE ASSISTANCE, PLEASE CONTACT

461-1415 OR 753-1747

IN THE CHANCERY COURT FOR WASHINGTON COUNTY, TENNESSEE
AT JOHNSON CITY

LORI K. WILHOIT

Plaintiff,

v.

TIME INSURANCE COMPANY

Defendant.

Civil Action No. 37159

COMPLAINT FOR DECLARATORY JUDGMENT

Comes the plaintiff, Lori K. Wilhoit (hereinafter to referred to as "Wilhoit"), by and through her attorney, Howell H. Sherrod, Jr., and would show unto this Honorable Court is support of the Complaint the following:

1. That Wilhoit is a citizen and resident of Washington County, Tennessee, residing at 3005 S. Hills Drive, Johnson City, Tennessee 37601.
2. That the defendant, Time Insurance Company (hereinafter referred to as "Time") at all times material is corporation licensed and doing in the state of Tennessee with its agent for service of process being the Commissioner of Insurance, Department of Commerce and Insurance.
3. That at all times Wilhoit was insured for injuries such as the injuries received out of which this claim arose by the defendant having a certificate number: 0058551847 (copy attached as Exhibit 1).
4. That the defendant has been advised of a claim under the aforementioned policy and has been assigned a claim/document: 86788365.

I, Brenda Snayd, Clerk and Master of the Chancery Court,
Johnson City, Tennessee, hereby certify that this is a true and
perfect copy of the original Complaint & Exhibits
filed in this cause.

This October 10, 2008

Brenda Snayd

5. That Wilhoit's claim was wrongfully turned down contrary to the language of the contract on May 26, 2008 and again on June 9, 2008..
6. That the defendant has anticipatorily refused to pay the loss even though demand has been made and the failure to pay has inflicted additional expense, loss or injury including attorney fees upon the holder of the policy in violation of T.C.A. § 56-7-105.


PREMISES CONSIDERED, PLAINTIFF PRAYS:

1. That the Court render a judgment for declaratory relief relative to the rights, duties, status and other legal relations between the parties including but not limited to whether or not Wilhoit's claim has been wrongfully denied. Additionally, Wilhoit seeks compensatory and punitive damages as may appear to be proper in the amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) and Three Million Dollars (\$3,000,000.00) respectively.
2. Such other further and general relief to which she may be entitled including, but not limited to prejudgment interest, penalties, attorney fees and costs.

Respectfully submitted,

Lori K. Wilhoit

By



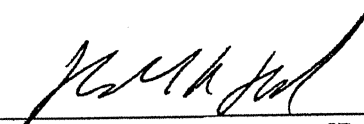
Howell H. Sherrod, Jr., BPR No. 842
Attorney for Plaintiff
SHERROD, GOLDSTEIN & LEE
249 East Main Street
Johnson City, Tennessee 37604
(423) 928-8321

COST BOND

We acknowledge ourselves as principal and sureties for the costs of this cause.

SHERROD, GOLDSTEIN & LEE
Attorneys at Law
249 East Main Street
Johnson City, Tennessee 37604
(423) 928-8321

By



HOWELL H. SHERROD, JR.